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*Attorneys for Defendant-Intervenor  
Lithium Nevada Corp.*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

BARTELL RANCH, LLC, a Nevada  
limited liability company and  
EDWARD BARTELL,

Plaintiffs,

v.

ESTER M. MCCULLOUGH,  
Winnemucca District Manager,  
Bureau of Land Management;  
BUREAU OF LAND  
MANAGEMENT,

Defendants,

and

LITHIUM NEVADA CORP.,

Defendant-Intervenor.

**Case No. 3:21-cv-00080-MMD-CLB**

**LITHIUM NEVADA CORP.'S  
RESPONSE TO BURNS PAIUTE  
TRIBE'S MOTION TO INTERVENE**

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1  
2 Based on representations from counsel for the Burns Paiute Tribe described  
3 below, Lithium Nevada Corp. (“Lithium Nevada”) does not oppose the Burns Paiute  
4 Tribe’s motion to intervene in the above captioned case but reserves the right to assert  
5 any defenses or jurisdictional or procedural challenges to the Burns Paiute Tribe’s  
6 claims. In filing this non-opposition, Lithium Nevada relies on the representation of  
7 counsel for the Burns Paiute Tribe that, (i) if permitted to intervene quickly (facilitated  
8 by non-opposition to its motion to intervene) it does not intend to file a separate  
9 preliminary injunction motion but instead will join in the previously filed motion for  
10 preliminary injunction; (ii) it will adhere to the existing schedule agreed upon by all of  
11 the parties (including the most recent intervenors) and ordered by this Court; and (iii)  
12 no arguments will be asserted that non-opposition to its intervention is a concession of  
13 any issue or legal argument or defense.

14 Lithium Nevada notes that the Reno Sparks Indian Colony and People of Red  
15 Mountain both represented in their reply in support of the motion to intervene that they  
16 would adhere to the existing briefing schedule agreed to by then existing parties and  
17 adopted by the Court. (ECF No. 54). In their representation that they would adhere to  
18 that schedule they further represented to this Court their understanding that the Federal  
19 Defendants may require additional time to submit the administrative record on their  
20 new claims. (ECF No. 54 at 3: 4-7; 6:22-23). In granting the intervention the Court  
21 noted it would mitigate potential prejudice asserted by Lithium Nevada by requiring  
22 adherence to the existing schedule and then included that requirement in the Order.  
23 (ECF 59 at 4:17-20, 9:15-16).

24 DATED this 05th day of August 2021

25  
26 By: /s/ Laura K. Granier  
27 Laura K. Granier, Esq (SBN 7357)  
28 Erica K. Nannini, Esq (SBN 13922)  
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Lithium Nevada Corp.*

**Certificate of Service**

I hereby certify that on August 05, 2021, I filed the foregoing using the United States District Court CM/ECF, which caused all counsel of record to be served electronically.

/s/ Laura K. Granier  
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